

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jeffrey C. Felt et al.

Serial No.: 10/500,929

Filed: 8 July 2004

For: INTERPOSITIONAL  
ARTHROPLASTY SYSTEM &  
METHODTo: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Attorney Docket: 32355.12.6.1.6

) Group Art Unit: 1652

) I hereby certify that this correspondence is being:

[ ☒ ] deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450[ ☐ ] facsimile transmitted to the Patent and Trademark Office[ ☐ ] hand delivered to the Patent and Trademark Officeon this 22 day of December 2004By Matthew J. GrahamTRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING  
OF FIRST OFFICE ACTION

SIR:

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever occurs last. 37 CFR 1.97(b).

Dated: 12/22/04

Respectfully submitted,

Matthew J.S. Graham  
Registration No. 54,647  
Fredrikson & Byron, P.A.  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402-1425  
(612) 492-7256  
Customer No. 022859

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on this 22 day of December, 2004

By

Modily E. Thompson

INFORMATION DISCLOSURE STATEMENT

SIR:

In accordance with the duty of disclosure, enclosed is a completed Form PTO-1449.

Consideration of each of the listed references by the Examiner is respectfully requested. Copies of U.S. patents and U.S. patent application publications are not enclosed in accordance with recently revised 37 CFR §1.98. Applicant respectfully requests that an initialed copy of Form PTO-1449 indicating such consideration be returned with the next Official Action, as set forth in MPEP 609.

By submitting these references, applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which applicant is unaware.

The Commissioner is hereby authorized to charge any additional filing fees required to  
Deposit Account No. 061910.

Dated: 12/22/04

Respectfully submitted,



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					<b>APPLICANT</b> Felt et al.			
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INFORMATION DISCLOSURE CITATION  
 DEC 27 2004  
 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		3,030,951	4/1962	Mandarino	606	60	
		3,728,742	4/1973	Averill et al.	3	1	
		3,815,599	6/1974	Deyerle	128	305	
		4,081,866	4/1978	Upshaw	623	20.21	
		4,203,444	5/1980	Bonnell et al.	604	22	
		4,456,745	6/1984	Rajan	528	85	
		4,463,141	7/1984	Robinson	525	467	
		4,477,604	10/1984	Oechsle, III	523	116	
		4,647,643	3/1987	Zdrahala	528	28	
		4,651,736	3/1987	Sanders	128	898	
		4,722,948	2/1988	Sanderson	523	115	
		4,743,632	5/1988	Marinovic et al.	523	118	

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
		WO 93/11723	6/1993	PCT			
		WO 95/30388	11/1995	PCT			
		WO 95/31946	11/1995	PCT			
		WO 95/31948	11/1995	PCT			
		WO 97/26847	7/1997	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Andersson et al., "MacIntosh Arthroplasty in Rheumatoid Arthritis", <i>Acta Orthop.</i> , 1974, 45:245-259.
	Cameron et al., "Review of a Failed Knee Replacement and Some Observations on the Design of a Knee Resurfacing Prosthesis", <i>Archives of Orthopaedic and Traumatic Surgery</i> , 1980, pp. 87-89.

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	4,772,287	9/1988	Ray et al.	623	17.12		
	4,808,691	2/1989	König et al.	528	75		
	4,873,308	10/1989	Coury et al.	528	75		
	4,969,888	11/1989	Constanz	423	309		
	4,969,888	11/1989	Scholten et al.	606	94		
	5,007,940	4/1991	Berg	424	423		
	5,067,964	11/1991	Richmond et al.	623	14.12		
	5,082,803	1/1992	Sumita	501	1		
	5,108,404	4/1992	Scholten et al.	606	94		
	5,109,077	4/1992	Wick	525	467		
	5,143,942	9/1992	Brown	521	110		

FOREIGN PATENT DOCUMENTS							
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
WO 98/20939	5/1998	PCT					
WO 99/44509	9/1999	PCT					
WO 99/44509	12/1999	PCT					
WO 00/59411	10/2000	PCT					

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Clary et al., "Experience with the MacIntosh Knee Prosthesis", <i>So. Medical Journal</i> , Vol. 65, No. 3, March 1972, pp. 265-272.
	Conaty et al., "Surgery of the Hip and Knee in Patients with Rheumatoid Arthritis", <i>J. Bone and Joint Surgery</i> , Vol. 55, No. 2, March 1973, pp. 301-314.

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5,166,115	11/1992	Brown	521	110		
	5,254,662	10/1993	Szycher et al.	528	67		
	5,278,201	1/1994	Dunn et al.	523	113		
	5,509,934	4/1996	Cohen	623	20.32		
	5,525,418	6/1996	Hashimoto et al.	428	323		
	5,556,429	9/1996	Felt	128	898		
	5,624,463	4/1997	Stone et al.	623	23.61		
	5,725,531	3/1998	Shapiro	606	85		
	5,795,353	8/1998	Felt	424	423		
	5,888,220	3/1999	Felt et al	128	898		

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DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
WO 01/066021	9/2001	PCT					
EP 0 353 936	2/1990	EP					
EP 0 505 634	9/1992	EP					

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Emerson et al., "The Use of the McKeever Metallic Hemiarthroplasty for Unicompartmental Arthritis", <i>J. Bone and Joint Surgery</i> , Vol. 67 No. 2, February 1985, pp. 208-212.
	Hastings et al., "Double Hemiarthroplasty of the Knee in Rheumatoid Arthritis", <i>J. Bone and Joint Surgery</i> , Vol. 55, No. 1, February 1973, pp. 112-118.

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		5,944,759	8/1999	Link	623	18.11	
		6,048,345	4/2000	Berke et al.	606	85	
		6,079,868	6/2000	Rydell et al	366	189	
		6,140,452	10/2000	Felt et al	528	60	
		6,206,927	3/2001	Fell	623	20.29	
		6,224,630	5/2001	Bao et al	623	17.16	
		6,248,131	6/2001	Felt et al	623	17.12	
		6,558,421	5/6/03	Fell et al	623	14.12	
		2001/0037114	11/01	Dinger et al.	606	85	
		2003/0060882	3/2003	Fell et al	623	14.12	
		2003/0060883	3/2003	Fell et al	623	14.12	
		2003/0060884	3/2003	Fell et al	623	14.12	

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
		EP 0 521 573	1/1993	EP			
		EP 0 378 002	7/1990	EP			
		FR 2 639 823	12/5/88	FR			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Jessop et al., "Follow-up of the MacIntosh Arthroplasty of the Knee Joint", <i>Rheum. Phys. Med.</i> , Vol. 11, 1972, pp. 217-224.
	Kay et al., "The MacIntosh Tibial Plateau Hemiprosthesis for the Rheumatoid Knee", <i>J. Bone and Joint Surgery</i> , Vol. 54, No. 2, May 1972, pp. 256-262.

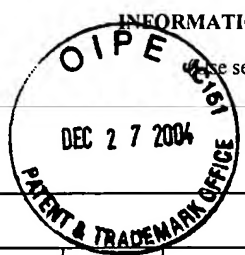
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<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <b>INFORMATION DISCLOSURE CITATION</b>  <small>(Use several sheets if necessary)</small> </div> <div style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center;"> <b>O I P E</b>  <small>DEC 27 2004</small>  <b>PATENT &amp; TRADEMARK OFFICE</b> </div> </div>					<b>ATTY. DOCKET NO.</b> 32355.12.6.1.6		<b>SERIAL NO.</b> 10/500,929	
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		2003/0060885	3/2003	Fell et al	623	14.12		
		2003/0060888	3/2003	Fell et al	623	20.33		
		2003/0055500	3/2003	Fell et al.	623	14.12		
		2003/0055501	3/2003	Fell et al.	623	14.12		
		2004/0006393	1/2004	Burkinshaw	623	20.13		
		2004/0199249	10/2004	Fell	623	14.12		
		2004/0199250	10/2004	Fell	623	14.12		
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		DE 19823325	3/2000	DE				
		DE 4339895	3/1995	DE				
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
		Kozinn et al., "Surgical Treatment of Unicompartmental Degenerative Arthritis of the Knee", <i>Orthopedic Surgery and Degenerative Arthritis</i> , Vol. 14, No. 3, December 1988, pp. 545-564.						
		MacIntosh et al., "The Use of the Hemiarthroplasty Prosthesis for Advanced Osteoarthritis and Rheumatoid Arthritis of the Knee", <i>J. Bone and Joint Surgery</i> , Vol. 54, No. 2, May 1972, pp. 244-255.						
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	McKeever, "Tibial Plateau Prosthesis", <i>Clinical Orthopaedics and Related Research</i> , No. 192, 1985, pp. 3-12.
	Porter et al., "MacIntosh arthroplasty: a long-term review", <i>J.R. Coll. Surg. Edinb.</i> , Vol. 33, August 1988, pp. 199-201.

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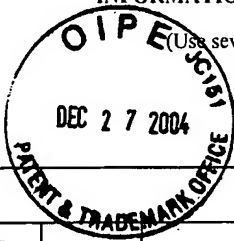
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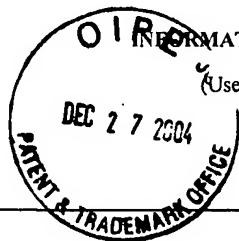
	Sbarbaro, "Hemi-tibial plateau prosthesis ten years experience in 500 knee arthroplasties", <i>Acta Orthopaedica Belgica</i> , Vol. 39., 1973, pp. 91-100.
	Schorn et al., "MacIntosh Arthroplasty in Rheumatoid Arthritis", <i>Rheumatology and Rehabilitation</i> , 1978, 17:155-163.

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		Swanson et al., "Unicompartmental and Bicompartmental Arthroplasty of the Knee with a Finned Metal Tibial-Plateau Implant", <i>J. Bone and Joint Surgery</i> , 1985, pp. 1175-1182.
		Taylor et al., "MacIntosh arthroplasty in rheumatoid arthritis", "Proceedings and Reports of Universities, Colleges, Councils and Associations", <i>J. Bone and Joint Surgery</i> , Vol. 48, No. 1, February 1966, pp. 119-120.

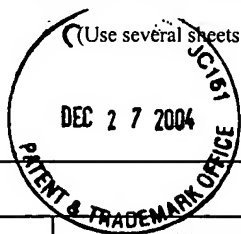
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	Wayne, "Use of the McIntosh Prosthesis in Surgical Reconstruction of the Knee", Abstracts of 1971 Proceedings, <i>J. Bone and Joint Surgery</i> , June 1972, pp. 292-293
	Wordsworth et al., "MacIntosh arthroplasty for the rheumatoid knee: 10-year follow up", <i>Annals of the Rheumatic Diseases</i> , 1985, 44:738-741.

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